

John O'B. Clarke Jr.

From: kennedy@ask-attorneys.com
Sent: Saturday, September 27, 2014 2:49 PM
To: Siegel Robert; John O'B. Clarke Jr.
Cc: kennedy@ask-attorneys.com; Siegel Robert; briank@f9fapa.org; Maynard Michael; mikeh@f9fapa.org; joe@rosenblattgosch.com
Subject: RE: Grievances By Frontier (former Midwest) Pilots Re Abrogation Of Integrated Seniority

John:

I have your email of September 26, and Bob's response earlier today. Please do not communicate directly with FAPA with respect to this matter. Any communication from you should be solely through FAPA's counsel.

FAPA concurs with Frontier as to the established practice under Section 12.B. of the Frontier CBA. FAPA has attempted to communicate with the affected pilots regarding the established procedure for initiating the process. As set forth in Section 12.B.2., the recommended means of commencing the process is for the affected pilot(s) to complete the Notice of Dispute form, which is available on the FAPA website.

Wes

----- Original Message -----

From:
"Siegel Robert" <rsiegel@omm.com>

To:
"John O'B. Clarke Jr." <jclarke@highsaw.com>

Cc:
"kennedy@ask-attorneys.com" <kennedy@ask-attorneys.com>, "Siegel Robert" <rsiegel@omm.com>

Sent:
Sat, 27 Sep 2014 18:26:16 +0000

Subject:
RE: Grievances By Frontier (former Midwest) Pilots Re Abrogation Of Integrated Seniority

John:

I previously informed you that the meeting you have requested with Frontier's Chief Pilot will not occur because your request is not in accordance with Section 12 of the FAPA-Frontier collective bargaining agreement. Please do not write directly to Frontier or its Chief Pilot in this regard. Any correspondence from you should be directed solely to me as counsel for Frontier Airlines.

Section 12 specifies that a “concerned pilot shall first present the dispute to the Chief Pilot, or his designee, for discussion in an effort to informally resolve the dispute....” In accordance with this contract language and past practice, a dispute must be filed by the pilot and cannot be filed by an attorney, and an attorney cannot participate on behalf of the pilot in the informal discussion. Thus, your series of messages purportedly in behalf of pilots do not constitute the filing or notice of a dispute within the meaning of Section 12 of the collective bargaining agreement.

To be clear, if a pilot does file a dispute and request an informal discussion in accordance with Section 12, Frontier will process that dispute in accordance with Section 12. Such process, however, does allow for your participation.

-- Bob Siegel

From: John O'B. Clarke Jr. [mailto:jclarke@highsaw.com]
Sent: Friday, September 26, 2014 12:34 PM
To: 'wes kennedy'; briank@f9fapa.org; jthibodeau@flyfrontier.com; Siegel, Robert
Cc: 'Gary Drska'; 'Daniel Norden'; 'MARK WARD'; mjburian44@yahoo.com; mannix782@aol.com; 'Carl Schwerman'; 'Robert Layman'; 'Don Till'
Subject: Grievances By Frontier (former Midwest) Pilots Re Abrogation Of Integrated Seniority

This email is sent on behalf of my clients First Officers Drska, Norden, Ward, Burian and Danials, to reiterate that they are grieving the recent decision by Frontier and FAPA to void the seniority they were awarded by the February 19, 2011 Seniority Integration Award, which became effective on August 27, 2011. That Integrated Seniority List was expressly made a part of the CBA applicable to Frontier and was made immutable. I, as their counsel, was available earlier today for the informal conference they requested on September 23, but no one from Frontier or FAPA participated. By this email, the above-named First Officers, without in any way withdrawing their earlier grievance, once again request Chief Pilot Thibodeau to discuss that grievance with them. Please advise the undersigned of a time and phone number at which this conference may take place. I and some of the grievants are available today or tomorrow. Grievants further ask FAPA to take all steps necessary to progress this grievance.

John O'B. Clarke, Jr.

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